



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

917 ANTICIPATORY BAIL APPLICATION NO. 98 OF 2025

VISHWAS BHAWAN BHAMRE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Nilesh N. Desale

APP for Respondent/State: Mr. A. A. A. Khan

...

WITH

CRIMINAL APPLICATION NO. 315 OF 2025

IN ABA/98/2025

PALLAVI VISHWAS BHAMRE

VERSUS

VISHWAS BHAWAN BHAMRE AND OTHERS

...

Advocate for Applicant :

Ms. Devika Patil h/f. Mr. N. L. Chaudhari

APP for Respondent/State: Mr. A. A. A. Khan

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 13.02.2025

P.C. :

1] Heard learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for assist to public prosecutor.

2] The applicant has approached this Court apprehending arrest in connection with Crime No.402/2024, dated 11.12.2024, registered with Sakri

Police Station, Taluka Sakri, District Dhule, for the offences punishable under Sections 109, 352, 351(2), 351(3), 3(5) of the Bharatiya Nyaya Sanhita.

3] Criminal Application No.315 of 2025 for assist to public prosecutor is allowed.

4] The case against the applicant is that he along with his brother and mother caught hold of the informant and administered poison to her on 05.12.2024. The FIR is registered on 11.12.2024. It is stated that the informant was in hospital and, as such, the FIR is registered at later point of time. The learned counsel for the applicant submits that the sessions court has granted anticipatory bail to the brother and his mother. It is stated that this is the case of over implication. In terms of the FIR the applicant is not staying within the wife from the year 2016, although, they were married in the year 2007. The applicant and the informant are started living separately from the year 2016. The informant was taken the hospital on 05.12.2024 at night and in the medical papers, history is indicated as assault and consumption of unknown substance. However, on 09.12.2024 the informant has stated to the Doctor, that her husband has extramarital affair and torture her since 15 to 16 years and on 05.12.2024 the husband has forced her to consume poison.

5] The FIR contradicts the medical papers. He submits that the parties are living separately as each one alleges against another that they are having extra marital affairs. He also submits that there is outstanding loans in which payments are stopped by the applicant for some time and as such the informant has been to the applicant's employer's office for the purpose of seeking direction to make payment of the installment. He submits that the stoppage of installment and her possible relations with other person has give rise to the present FIR. He denied presence of the applicant on 05.12.2024 at the house with complainant.

6] He also submits that the informant on account of the matrimonial dispute and considering her inconsistent statement to the Doctor, the inconsistencies gives rise to the inference that the consumption of the unknown material is sought to be foisted upon the applicant as an administration of poison.

7] The learned APP submits that the report of stomach wash is awaited.

8] Considering all the above noted aspects that the applicant was not staying with the informant from the year 2016 and also considering the fact that prior to the incident that the applicant has stopped payment of

installment and that the possibility of consumption cannot be ruled out.

9] In view of the above, in the meanwhile, there shall be interim order in the following terms :-

A] Till the next date, in the event the applicant is arrested in connection with Crime No.402/2024, registered with Sakri Police Station, Taluka Sakri, District Dhule, for the offences punishable under Sections 109, 352, 351(2), 351(3), 3(5) of the Bharatiya Nyaya Sanhita, he shall be released on bail on furnishing PR bond of Rs.15,000/- with one or two sureties in the like amount.

B] The applicant shall remain present before the investigating officer on 17.02.2025 and 18.02.2025, between 10:30 a.m. to 01:30 p.m.

C] The applicant shall co-operate with the investigation, including producing all documents in his possession, as may be demanded by the investigating officer.

D] The applicant shall not influence the informant, witnesses or any person concerned with the case and he shall not tamper with the evidence.

10] Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.

11] List on 24.02.2025.

[ARUN R. PEDNEKER]
JUDGE

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